



FAIRFAX COUNTY

DP:
OFFICE OF THE CLERK
BOARD OF SUPERVISORS
12000 Government Center Parkway, Suite 533
Fairfax, Virginia 22035-0072

I R G I N I A

Telephone: 703-324-3151
FAX: 703-324-3926
TTY: 703-324-3903

September 29, 2000

Lynne J. Strobel, Esquire
Walsh, Colucci, Stackhouse, Emrich and Lubeley, PC
2200 Clarendon Boulevard – 13th Floor
Arlington, Virginia 22201-3359

RE: Special Exception Application
Number SE 00-Y-018

Dear Ms. Strobel:

At a regular meeting of the Board of Supervisors held on September 11, 2000, the Board approved Special Exception Application Number SE 00-Y-018 in the name of Coscan Washington, Incorporated, located at 15415 Braddock Road and 5311 Pleasant Valley Road, (Tax Map 43-1 ((1)) 12; 43-3 ((1)) 6) to permit a cluster subdivision pursuant to Sections 3-C04 and 9-615 of the Fairfax County Zoning Ordinance, by requiring conformance with the following development conditions:

1. This Special Exception is granted for and runs with the land indicated in this application and is not transferable to other land.
2. This Special Exception is granted only for the purpose(s), structure(s) and/or use(s) indicated on the Special Exception Plat approved with the application, as qualified by these development conditions.
3. This Special Exception is subject to the provisions of Chapter 101 of the County Code, Subdivision Provisions. Any plat submitted pursuant to this Special Exception shall be in substantial conformance with the Special Exception Plat entitled "The Pleasant Valley Road Properties", prepared by Planning and Development Services, Inc., and dated March 30, 2000 as revised through June 21, 2000, and these conditions. Minor modifications to the approved Special Exception may be permitted pursuant to Paragraph 4 of Section 9-004 of the Zoning Ordinance.

4. Right and left turn lanes shall be constructed into the site's entrance if determined necessary by VDOT at the time of subdivision plan review.
5. At the time of subdivision plan approval, Parcel A which abuts the proposed lots to the south and west and consists of approximately 141 acres, as shown on the Special Exception Plat, shall be dedicated to the Fairfax County Park Authority (FCPA) in fee simple for use as a park subject to the installation of utilities and easements, including stormwater management, if necessary. Such conveyance shall be subject to a recorded covenant running to the benefit of the Board of Supervisors in a form approved by the Office of the County Attorney stating that the use of Parcel A shall be restricted to passive recreation facilities.
6. Unless waived, stormwater management and Best Management Practices shall be provided as determined by DPWES in accordance with the Public Facilities Manual (PFM).
7. Irrespective of the widths of the internal streets shown on the Special Exception Plat, the widths of internal subdivision streets shall be minimized, consistent with PFM and VDOT standards, as determined by DPWES, to enable road sections that do not include curb and gutter, such as open ditch designs, to be provided.
8. For each phase of development, a grading plan which establishes the limits of clearing and grading necessary to construct the improvements planned for that phase shall be submitted to DPWES, including the Urban Forestry Branch, for review and approval. The extent of clearing and grading for each phase of construction shall be the minimum amount necessary, as determined by DPWES. Prior to any land disturbing activities for each phase of construction, a pre-construction conference shall be held between the DPWES and representatives of the applicant to include the construction site superintendent responsible for the on-site construction activities. The purpose of this meeting shall be to discuss and clarify the limits of clearing and grading, areas of tree preservation, and the erosion and sedimentation control plan to be implemented during construction. The applicant shall retain the services of a certified arborist, and shall have the limits of clearing and grading marked with a continuous line of flagging prior to the pre-construction meeting. Before or during the pre-construction meeting, the applicant shall walk the limits of clearing and grading with an Urban Forester and the developer's certified arborist to determine where minor adjustments to the clearing limits can be made to increase the survivability of trees at the edge of the limits of clearing and grading.

Trees that are not likely to survive construction due to their species and/or their proximity to disturbance, will also be identified at this time and the developer shall be given the option of removing them as part of the clearing operation. Any tree that is designated for removal, at the edge of the limits of clearing and grading or within a tree preservation area, shall be removed using a chain saw and the stump shall be left in place to avoid damage to the surrounding trees. If a stump must be removed, this shall be done using a stump grinding machine in a manner causing as little disturbance as possible to the adjacent trees.

9. In addition to the limits of clearing and grading shown on the Special Exception Plat, tree preservation areas on individual lots beyond those shown on the Special Exception Plat shall be provided where feasible and desirable in coordination with the Urban Forestry Branch at the time of review and approval of the subdivision plan or grading plan for each phase of development. Areas on individual lots where the preservation of such additional trees is to be provided shall be identified and delineated with limits of clearing and grading on the subdivision plan. At the time of first submission of the subdivision plan or grading plan for any phase of development that includes residential lots, a tree preservation plan shall be provided for review and approval by the Urban Forestry Branch, and shall be implemented as approved by that Branch. The tree preservation plan shall include a tree survey for the area subject to that phase of development, which describes the location, species, size, accurate dripline, and condition of the trees to be preserved on individual lots, as well as all trees 12 inches in diameter or greater that are located 25 feet of either side of the limits of clearing and grading. The condition analysis shall be prepared by a certified arborist, using the most current edition of "The Guide for Plant Appraisal". Specific tree preservation activities shall be reflected in the tree preservation plans, including methods to be implemented to ensure preservation through the construction process.
10. The applicant shall allow the County access to the Property for the purpose of conducting a rare plant survey and transplantation plan on the portion of the site to be cleared for the proposed development. The survey shall be conducted by the County within 90 days of approval of the Special Exception by the Board of Supervisors. Transplanting activities, determined to be feasible, shall be conducted by County staff with the prior permission of the owner(s) of the property and within a mutually acceptable time frame. Such study or transplanting activities shall not delay or interfere with the issuance of permits or construction activity.

11. A wetland delineation performed by a qualified consultant to determine the extent to which, if any, wetlands are located with the proposed development envelope, shall be submitted to DPWES at the time of the subdivision plan submission. Should any wetlands be determined to be on site, measures to ensure protection of the wetlands from disturbance to the extent feasible, as determined by DPWES, shall be included on the subdivision plan.
12. In order to achieve a maximum interior noise level of approximately DNL 45 dBA , for all dwelling units located between the DNL 65-70 dBA highway noise impact contours, (120 feet from centerline of Braddock Road), the following measures shall be employed:
 - Exterior walls shall have a laboratory sound transmission class of at least 39.
 - Doors and glazing shall have a laboratory STC rating of at least 28. If glazing constitutes more than 20% of any façade it shall have the same laboratory STC as walls.
 - Measures to seal and caulk between surfaces shall follow methods approved by the American Society for Testing and Materials to minimize sound transmission.

In order to achieve a maximum exterior noise level of 65 dBA LDN, noise attenuation structures such as acoustical fencing, walls, earthen berms or combinations thereof shall be provided for those outdoor recreation areas, including rear yards, that are unshielded by topography or built structures. If acoustical fencing or walls are used, they shall be architecturally solid from the ground up, with no gaps or openings. All fences must meet Zoning Ordinance height restrictions. The applicant may pursue other methods of mitigating highway noise if it can be demonstrated, through an independent noise study for review and approval of DPWES, that these methods will be effective in reducing exterior noise levels to DNL 65 dBA or less and interior noise levels to DNL 45 dBA or less.

13. The applicant shall contribute the sum of \$44,276.51 to the Fairfax County Park Authority at time of subdivision plan approval in lieu of constructing an 8 foot wide asphalt trail along the stream within the Ellick Run Stream Valley. These funds shall be applied to construction of trails in the area as determined by FCPA in conjunction with the Sully District Representative to the Countywide Non-Motorized Transportation committee.

14. Prior to bond release, an 8 foot wide, Type I asphalt trail shall be constructed within a 12 foot wide trail easement along the frontage of Pleasant Valley Road, in coordination with the FCPA trails planner.
15. Any subdivision identification signs within the cluster subdivision shall be constructed in accordance with Article 12 of the Zoning Ordinance.
16. If blasting is required, and before any blasting occurs on the property, the applicant or its successors shall ensure that blasting is done per Fairfax County Fire Marshal requirements and all safety recommendations of the Fire Marshal, including, without limitation, the use of blasting mats, shall be implemented. In addition, a professional consultant shall be retained to perform a pre-blast survey of each house or residential building, to the extent that any of these structures are located within one hundred fifty (150) feet of the blast site. The consultant shall request access to houses, buildings, or swimming pools that are located within said 150 foot range if permitted by the owner, to determine the pre-blast conditions of these structures. The consultants shall give adequate notice of both the scheduling of the pre-blast survey, and of the blast event itself. The consultant shall place seismographic instruments prior to blasting to monitor the shock waves. These seismographic monitoring records shall be provided to County agencies upon request. Upon receipt of a claim of actual damage from said blasting, the applicant shall meet at the site of the alleged damage to confer with the property owner within 15 days. All subcontractors shall maintain liability insurance to cover the costs of repairing any damages to structures which are directly attributable to the blasting activity, as determined by the pre- and post blast surveys.
17. Right-of way up to a width of 56 feet from the existing centerline along the Pleasant Valley Road frontage of the property including ancillary easements as depicted on the Special Exception Plat, and up to a width of 45 feet from the existing centerline along the Braddock Road frontage of the property including ancillary easements as depicted on the Special Exception Plat, shall be dedicated to the Board of Supervisors at the time of subdivision plan approval, or upon demand, whichever occurs first.
18. The limits of clearing and grading along the eastern property line shall result in a setback of approximately one hundred (100) feet to the property line as shown on the Special Exception Plat. At the time of subdivision plan approval, the area within the setback shall be placed within a conservation easement, in a form approved by the County Attorney, for

the benefit of a homeowners association to be established by the applicant, or to Fairfax County if a homeowners association is not established. Disturbance of this area for the installation of necessary utilities shall be minimized and disturbed areas shall be re-vegetated as shown on the Special Exception Plat, as determined by the Urban Forestry Branch.

19. At the time of subdivision plan approval, an historical marker describing the WWII Plane Spotting station at the Centreville Airport, shall be installed on the application property in a location and with text to be coordinated with the Fairfax County Historic Commission.
20. During clearing and grading, debris (e.g. tires, etc.) shall be removed from the site in the least disruptive manner possible given engineering and cost constraints. Any areas disturbed to the long term presence of debris or the removal of debris shall be revegetated, as determined by DPWES.

The above proposed conditions are staff recommendations and do not reflect the position of the Board of Supervisors unless and until adopted by that Board. This approval, contingent on the above noted conditions, shall not relieve the applicant from compliance with the provisions of any applicable ordinances, regulations, or adopted standards. The applicant shall be himself responsible for obtaining the required Non-Residential Use Permit through established procedures, and this Special Exception shall not be valid until this has been accomplished.

Pursuant to Section 9-015 of the Zoning Ordinance, this Special Exception shall automatically expire, without notice, thirty (30) months after the date of approval unless the subdivision has been recorded among the land records of Fairfax County. The Board of Supervisors may grant additional time to establish the use or to commence construction if a written request for additional time is filed with the Zoning Administrator prior to the date of expiration of the Special Exception. The request must specify the amount of additional time requested, the basis for the amount of time requested and an explanation of why additional time is required.

The Board also waived the requirement for construction of an 8-foot wide trail along the Ellick Run Stream Valley in favor of the contribution funds as stated in these development conditions.

APPROVED DEVELOPMENT CONDITIONS

SE 00-Y-018

September 11, 2000

If it is the intent of the Board of Supervisors to approve SE 00-Y-018 located at 15415 Braddock Road and 5311 Pleasant Valley Road, (Tax Map Numbers 43-1 ((1)) 12 and 43-3 ((1)) 6) to permit a cluster subdivision pursuant to Sect. 3-C04 and 9-615 of the Fairfax County Zoning Ordinance, the staff recommends that the Board condition the approval by requiring conformance with the following development conditions:

1. This Special Exception is granted for and runs with the land indicated in this application and is not transferable to other land.
2. This Special Exception is granted only for the purpose(s), structure(s) and/or use(s) indicated on the special exception plat approved with the application, as qualified by these development conditions.
3. This Special Exception is subject to the provisions of Chapter 101 of the County Code, Subdivision Provisions. Any plat submitted pursuant to this special exception shall be in substantial conformance with the Special Exception Plat entitled "The Pleasant Valley Road Properties", prepared by Planning and Development Services, Inc., and dated March 30, 2000 as revised through June 21, 2000, and these conditions. Minor modifications to the approved special exception may be permitted pursuant to Par. 4 of Sect. 9-004 of the Zoning Ordinance.
4. Right and left turn lanes shall be constructed into the site's entrance if determined necessary by VDOT at the time of subdivision plan review.
5. At the time of subdivision plan approval, Parcel A which abuts the proposed lots to the south and west and consists of approximately 141 acres, as shown on the SE plat, shall be dedicated to the Fairfax County Park Authority (FCPA) in fee simple for use as a park subject to the installation of utilities and easements, including stormwater management, if necessary. Such conveyance shall be subject to a recorded covenant running to the benefit of the Board of Supervisors in a form approved by the Office of the County Attorney stating that the use of Parcel A shall be restricted to passive recreation facilities.
6. Unless waived, stormwater management and Best Management Practices shall be provided as determined by DPWES in accordance with the Public Facilities Manual (PFM).

7. Irrespective of the widths of the internal streets shown on the special exception plat, the widths of internal subdivision streets shall be minimized, consistent with PFM and VDOT standards, as determined by DPWES, to enable road sections that do not include curb and gutter, such as open ditch designs, to be provided.
8. For each phase of development, a grading plan which establishes the limits of clearing and grading necessary to construct the improvements planned for that phase shall be submitted to DPWES, including the Urban Forestry Branch, for review and approval. The extent of clearing and grading for each phase of construction shall be the minimum amount necessary, as determined by DPWES. Prior to any land disturbing activities for each phase of construction, a pre-construction conference shall be held between the DPWES and representatives of the applicant to include the construction site superintendent responsible for the on-site construction activities. The purpose of this meeting shall be to discuss and clarify the limits of clearing and grading, areas of tree preservation, and the erosion and sedimentation control plan to be implemented during construction. The applicant shall retain the services of a certified arborist, and shall have the limits of clearing and grading marked with a continuous line of flagging prior to the pre-construction meeting. Before or during the pre-construction meeting, the applicant shall walk the limits of clearing and grading with an Urban Forester and the developer's certified arborist to determine where minor adjustments to the clearing limits can be made to increase the survivability of trees at the edge of the limits of clearing and grading. Trees that are not likely to survive construction due to their species and/or their proximity to disturbance, will also be identified at this time and the developer shall be given the option of removing them as part of the clearing operation. Any tree that is designated for removal, at the edge of the limits of clearing and grading or within a tree preservation area, shall be removed using a chain saw and the stump shall be left in place to avoid damage to the surrounding trees. If a stump must be removed, this shall be done using a stump grinding machine in a manner causing as little disturbance as possible to the adjacent trees.
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10. The applicant shall allow the County access to the Property for the purpose of conducting a rare plant survey and transplantation plan on the portion of the site to be cleared for the proposed development. The survey shall be conducted by the County within 90 days of approval of the special exception by the Board of Supervisors. Transplanting activities, determined to be feasible, shall be conducted by County staff with the prior permission of the owner(s) of the property and within a mutually acceptable time frame. Such study or transplanting activities shall not delay or interfere with the issuance of permits or construction activity.
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height restrictions. The applicant may pursue other methods of mitigating highway noise if it can be demonstrated, through an independent noise study for review and approval of DPWES, that these methods will be effective in reducing exterior noise levels to DNL 65 dBA or less and interior noise levels to DNL 45 dBA or less.

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17. Right-of way up to a width of 56 feet from the existing centerline along the Pleasant Valley Road frontage of the property including ancillary easements as depicted on the SE plat, and up to a width of 45 feet from the existing centerline



along the Braddock Road frontage of the property including ancillary easements as depicted on the SE plat, shall be dedicated to the Board of Supervisors at the time of subdivision plan approval, or upon demand, whichever occurs first.

18. The limits of clearing and grading along the eastern property line shall result in a setback of approximately one hundred (100) feet to the property line as shown on the SE plat. At the time of subdivision plan approval, the area within the setback shall be placed within a conservation easement, in a form approved by the County Attorney, for the benefit of a homeowners association to be established by the applicant, or to Fairfax County if a homeowners association is not established. Disturbance of this area for the installation of necessary utilities shall be minimized and disturbed areas shall be re-vegetated as shown on the SE plat, as determined by the Urban Forestry Branch.
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Pursuant to Section 9-015 of the Zoning Ordinance, this special exception shall automatically expire, without notice, thirty (30) months after the date of approval unless the subdivision has been recorded among the land records of Fairfax County. The Board of Supervisors may grant additional time to establish the use or to commence construction if a written request for additional time is filed with the Zoning Administrator prior to the date of expiration of the special exception. The request must specify the amount of additional time requested, the basis for the amount of time requested and an explanation of why additional time is required.